



10-13-05

22 2134

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **Ling** Dkt. No: **GB9-1999-0146US1 (IBMR-0077)**
Serial No.: **09/667,366** Examiner: **Ho, Thomas M.**
Filed: **09/22/2000** Art Unit: **2134**
Title: **METHOD FOR PREVENTING PARASITIC USAGE OF WEB PAGE
EMBEDDED FILES**

Mail Stop Petitions
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

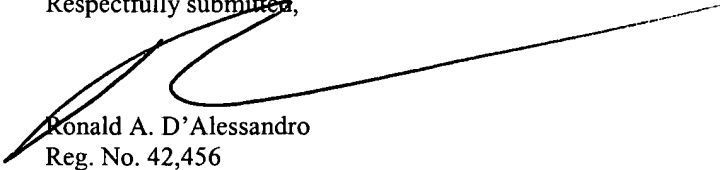
**PETITION TO WITHDRAW HOLDING OF
ABANDONMENT UNDER 37 C.F.R. § 1.181(a)**

Sir:

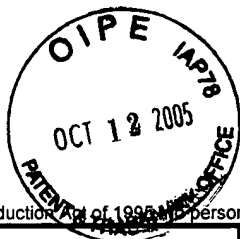
This Petition is being filed subsequent to the Notice of Abandonment mailed September 28, 2005.

Applicant submits that the Notice of Abandonment citing Applicant's alleged failure to timely file a proper reply to the Office letter mailed on March 4, 2004 is improper. In particular, as indicated by the date on the attached Amendment, Certification of Facsimile Transmission and Auto-Reply Facsimile Transmission, the Amendment was filed by facsimile with the USPTO on June 4, 2005, the due date under the three month statutory period based on an Office Action mailing date of March 4, 2004. Furthermore, when Applicant was informed by Examiner Thomas Ho that he had not received the response, Applicant supplied proof of filing, which was received by Examiner Ho on May 10, 2005. Accordingly, Applicant requests withdrawal of the holding of abandonment in the above-referenced patent application.

Respectfully submitted,


Ronald A. D'Alessandro
Reg. No. 42,456

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PTO/SB/21 (09-04)

Approval for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/667,366
	Filing Date	Sep 22, 2000
	First Named Inventor	Ling et al,
	Art Unit	2134
	Examiner Name	Ho, Thomas M.
Total Number of Pages in This Submission	Attorney Docket Number	GB9-1999-0146US1

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance communication to (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 C.F.R. § 1.181(a)
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Hoffman Warnick & D'Alessandro		
Signature			
Printed name	Ronald A. D'Alessandro		
Date	October 12, 2005	Reg. No.	42,456

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Linda T. Sagarese	Date	October 12, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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JUN 04 '2004 13:45 518 449 0047 HOFFMAN WARNICK D ALESSANDRO LLC #3044 P.002/010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Ling et al.	Conf. No.: 9751
Serial No.: 09/667,366	Art Unit: 2134
Filed: 09/22/2000	Examiner: Ho, Thomas M.
Title: METHOD FOR PREVENTING PARASITIC USAGE OF WEB PAGE EMBEDDED FILES	Docket No.: GB9-1999-0146US1 (IBMR-0077)

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

L. INTRODUCTORY COMMENTS:

This paper is being filed in response to the Office Action dated March 4, 2004. Please amend the above-referenced patent application as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks begin on page 6 of this paper.

09/667,366

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/667,366 Conf. No.: 9751
Filing Date: 09/22/2000 Art Unit: 2134
Applicant: Ling et al. Examiner: Ho, Thomas M.
Title: METHOD FOR PREVENTING PARASITIC USAGE OF WEB PAGE EMBEDDED FILES Docket No.: GB919990146US1

COMMISSIONER FOR PATENTS

DESTINATION FACSIMILE NUMBER: 703-872-9306

Transmitted herewith is: Amendment in 9 pages

in the above identified application.

- ☒ No additional fee is required.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 09-0461 (IBM) as described below.
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.


Ronald A. D'Alessandro, Reg. No. 42,456

DATE: June 4, 2004

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below.

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(Person transmitting this correspondence)


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6-4-2004
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